

AGNIFILO INTRATER

May 28, 2025

VIA ECF

Hon. Arun Subramanian
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *United States v. Combs*, 24-cr-542 (AS)

Dear Judge Subramanian:

Defendant Sean Combs respectfully submits this letter asking the Court to Order that Mr. Combs be permitted to meet with his attorneys in a secure facility in the United States Courthouse at 500 Pearl Street from the time that Court is adjourned until 10 PM on each day in which court is in session, and that he be permitted to meet freely with his counsel in a confidential setting without being separated from his counsel by a screen. Counsel is aware that the courthouse has a secure facility commonly called the SCIF (Sensitive Compartmented Information Facility), which may be suitable. However, counsel agrees to any reasonable facility providing Mr. Combs and his counsel the ability to review documents and speak confidentially and in person.

This Court has the authority to enter the requested Order pursuant to this Court's inherent power to ensure that criminal trials are conducted in accordance with the defendant's constitutional rights, including his right to confer with his counsel as required to prepare his defense. In addition, Title 18, United States Code, Section 3142 (Release or detention of a defendant pending trial) provides generally to an appropriate alteration of an incarcerated defendant's conditions of confinement when "necessary for preparation of the person's defense or for another compelling reason." 18 U.S.C. § 3142(i). To the extent that subsection (i) permits the temporary release of an incarcerated defendant, it would also apply to the lesser measure of granting a defendant greater access to his counsel while still detained. Accordingly, the Court has the authority to grant the requested relief.

To the extent that the U.S. Marshal Service would be needed to accommodate the defendant's request, we point out that the Marshal Service has consistently done everything in its power to facilitate Mr. Combs meeting with his counsel during the court day, and we appreciate these efforts. Counsel and Mr. Combs will, of course, abide by whatever terms and conditions the Marshal Service requires to ensure that the meetings between Mr. Combs and his counsel are conducted in conformity with all rules and protocols.

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We thank the Court again for its assistance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Marc Agnifilo', written over a horizontal line.

Marc Agnifilo

cc: All counsel (by ECF)